

HOUSE BILL No. 1788

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2.

Synopsis: Continuing education for police chiefs and town marshals. After December 31, 2008, requires a police chief or town marshal to fulfill continuing education requirements. Requires the law enforcement training board to adopt rules creating minimum standards for continuing education programs. Requires the board to notify: (1) the police chief or town marshal; and (2) the town or city that employs the police chief or town marshal; of compliance or noncompliance with the continuing education requirements. Provides that fees from the local law enforcement continuing education fund may be used to pay the course fees for a police chief or town marshal who attends a continuing education course.

Effective: July 1, 2007.

Ruppel, Tinchler, Bischoff, Wolkins

January 26, 2007, read first time and referred to Committee on Local Government.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1788

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-1-9.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 9.1. (a) As used in this section, "executive" means a**
4 **police chief or town marshal.**

5 **(b) After December 31, 2008, an executive shall attend at least**
6 **four (4) hours of continuing education courses in any calendar**
7 **year, for a total of at least ten (10) hours of continuing education**
8 **courses for a two (2) year period. A continuing education course**
9 **must be approved by the board in order for the course to be**
10 **counted toward the executive's continuing education requirement.**

11 **(c) The board shall adopt rules under IC 4-22-2:**

12 **(1) that create minimum standards for continuing education**
13 **programs for executives; and**

14 **(2) that are necessary for the administration of this section.**

15 **(d) The board shall do the following:**

16 **(1) At least annually, notify the executive of:**

17 **(A) the continuing education courses that the executive has**

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attended for the calendar year that count toward the executive's continuing education requirement; and

(B) the executive's progress in complying with the two (2) year continuing education requirement.

(2) Notify the town or city that employs the executive if the executive has not fulfilled the requirements of subsection (b).

(e) Nothing in this section shall be construed to:

(1) impose a penalty; or

(2) require a town or city to suspend, discharge, or discipline an executive;

for not complying with this section.

SECTION 2. IC 5-2-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) As used in this section:

"Abuse" has the meaning set forth in section 1(a) of this chapter.

"City or town law enforcement agency" includes university police officers appointed under IC 20-12-3.5.

(b) There is established in each city and in each town with a city or town court a local law enforcement continuing education program. The program is funded by amounts appropriated under IC 33-37-8-4 and fees collected under IC 9-29-4-2, IC 9-29-11-1, and IC 35-47-2-3.

(c) A city or town law enforcement agency receiving amounts based upon claims for law enforcement continuing education funds under IC 33-37-8-4 or IC 33-37-8-6 shall deposit each fee collected into the local law enforcement continuing education fund.

(d) Distribution of money in a local law enforcement continuing education fund shall be made to a city or town law enforcement agency without the necessity of first obtaining an appropriation from the fiscal body of the city or town.

(e) To make a claim under IC 33-37-8-4 a law enforcement agency shall submit to the fiscal body a verified statement of cause numbers for fees collected that are attributable to the law enforcement efforts of that agency.

(f) A city or town law enforcement agency shall provide to each law enforcement officer employed by the city or town law enforcement agency continuing education concerning the following:

(1) Duties of a law enforcement officer in enforcing restraining orders, protective orders, temporary injunctions, and permanent injunctions involving abuse.

(2) Guidelines for making felony and misdemeanor arrests in cases involving abuse.

(3) Techniques for handling incidents of abuse that:

(A) minimize the likelihood of injury to the law enforcement

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- 1 officer; and
- 2 (B) promote the safety of a victim.
- 3 (4) Information about the nature and extent of abuse.
- 4 (5) Information about the legal rights of and remedies available
- 5 to victims of abuse.
- 6 (6) How to document and collect evidence in an abuse case.
- 7 (7) The legal consequences of abuse.
- 8 (8) The impact on children of law enforcement intervention in
- 9 abuse cases.
- 10 (9) Services and facilities available to victims of abuse and
- 11 abusers.
- 12 (10) Verification of restraining orders, protective orders,
- 13 temporary injunctions, and permanent injunctions.
- 14 (11) Policies concerning arrest or release of suspects in abuse
- 15 cases.
- 16 (12) Emergency assistance to victims of abuse and criminal
- 17 justice options for victims of abuse.
- 18 (13) Landlord-tenant concerns in abuse cases.
- 19 (14) The taking of an abused child into protective custody.
- 20 (15) Assessment of a situation in which the child may be seriously
- 21 endangered if the child is left in the child's home.
- 22 (16) Assessment of a situation involving an endangered adult (as
- 23 defined in IC 12-10-3-2).
- 24 (17) Response to a sudden, unexpected infant death.
- 25 (g) A city or town law enforcement agency may enter into an
- 26 agreement with other county, city, or town law enforcement agencies
- 27 to provide the continuing education required by this section and section
- 28 1(h) of this chapter.
- 29 **(h) Fees from the local law enforcement continuing education**
- 30 **fund may be used to pay the course fee for a police chief or town**
- 31 **marshal to attend a continuing education course under**
- 32 **IC 5-2-1-9.1.**

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